

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95272

Kazuhito IKEDA, et al.

Appln. No.: 10/581,663

Group Art Unit: 1617

Confirmation No.: 4563

Examiner: Sahar JAVANMARD

Filed: June 5, 2006

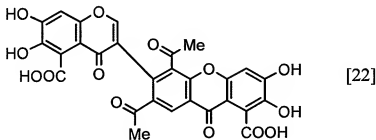
For: THERAPEUTIC OR PREVENTIVE AGENTS FOR ISCHEMIC NEUROPATHY

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

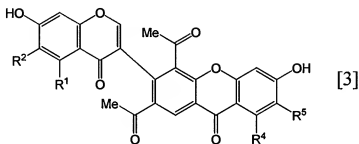
Sir:

In response to the Election of Species Requirement, dated September 29, 2009, Applicant elects Compound SPF-3059-5 of the following formula [22] for examination on which Claims 1, 2, 5, 6 and 8-10 are readable. This election is without traverse.

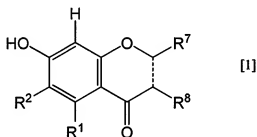


For the Examiner's convenience, Applicants also note the following. Compound SPF-3059-5 is described in the specification, e.g., at page 50, line 11 to page 51, line 16.

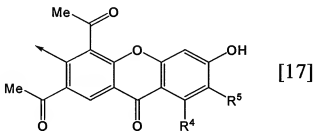
Compound SPF-3059-5 is also represented by the following formula [3], wherein each of R^1 and R^4 represents a carboxy group, and each of R^2 and R^5 represents a hydroxyl group, as described in the specification, e.g., at page 27, lines 21-22 and 24-26.



Compound SPF-3059-5 is also represented by the following formula [1] of Claim 1,



wherein the dashed line represents a double bond, R^1 represents a carboxy group, R^2 represents a hydroxyl group, R^7 represents a hydrogen atom, and R^8 represents a group of the following formula [17],



wherein R⁴ represents a carboxy group, and R⁵ represents a hydroxyl group.

Applicant submits that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicant reserves the right to file a Divisional Application directed to non-elected claims 3, 4 and 7.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Joseph Hsiao/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Joseph Hsiao
Registration No. 51,822

Date: October 29, 2009